

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

KEITH PERKINS,

2:06-CV-954-BR

Plaintiff,

JUDGMENT

v.

STUART ROBERTS, MICHAEL  
LOUGHARY, GREG SHERMAN, DAN  
HERGERT, MARK SWANSON, LANCE  
ZAUGG, WILLIAM CALDERA, and  
CITY OF PENDLETON, by and  
through the Pendleton Police  
Department, an Oregon  
municipality,

Defendants.

BROWN, Judge.

Following the Court's Order (#76) granting in part Defendants' Motion (#41) for Summary Judgment and the Court's Order (#80) granting Plaintiff's Motion (#79) to Dismiss Defendants Sherman, Zaugg, Caldera and City of Pendleton, this matter proceeded to jury trial on July 18-20, 2011, in Pendleton, Oregon on Plaintiff's sole remaining Section 1983 claim against

Defendants Stuart Roberts, Mark Swanson, DanHergert, and Michael Loughary. At the close of the evidence, the Court granted the oral Motions of Defendants Roberts and Swanson for judgment in their favor as a matter of law, and Plaintiff's claims against Defendant Hergert (for an unreasonable seizure in violation of the Fourth Amendment) and against Defendant Loughary (for supervisory liability) were submitted to the jury. The Jury returned its Verdict (#121) in favor of both Defendants by finding Plaintiff did not prove Defendant Hergert violated Plaintiff's Fourth Amendment rights as alleged.

Accordingly, Judgment is now entered in favor of all Defendants and against Plaintiff.

IT IS SO ORDERED.

DATED this 9<sup>th</sup> day of August, 2011.

  
ANNA J. BROWN  
United States District Judge